

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	CRIMINAL ACTION 1:23-00147-KD-MU
)	
JOSHUA ALLEN LEWIS,)	
Defendant.)	

ORDER

This action is before the Court on Defendant Joshua Allen Lewis' Motion to Dismiss Count One of the Indictment under the Second Amendment (Doc. 17) and the United States' Response (Doc. 20). As explained in the United States' brief and adopted as the Court's reasoning, by reaffirming and adhering to its reasoning in D.C. v. Heller, 554 U.S. 570, 128 S.Ct. 2783, 171 L. Ed. 2d 637 (2008) and McDonald v. City of Chicago, Ill., 561 U.S. 742, 130 S.Ct. 3020, 177 L. Ed. 2d 894 (2010) the Supreme Court in New York State Rifle & Pistol Ass'n, Inc. v. Bruen, 213 L. Ed. 2d 387, 142 S.Ct. 2111 (2022) did not change the regulatory framework that prohibits felons from possessing firearms. Moreover, the Eleventh Circuit has previously rejected a Second Amendment challenge to 922(g)(1) in United States v. Rozier, 598 F.3d 768 (11th Cir. 2010). Accordingly, Defendant Lewis' Motion to Dismiss (Doc. 17) is **DENIED**.

DONE and ORDERED this the **16th** day of **October 2023**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE